

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**
Eastern Division

JOHN DOE,

Plaintiff,

v.

HARVARD UNIVERSITY,

Defendant.

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Case No. 1:18-cv-12462-IT

NOTICE

In advance of the hearing on his Motion for a Temporary Restraining Order and Preliminary Injunction (“Motion”) on December 11, 2018, Plaintiff John Doe submits the following Notice:

- (1) *No Objection to December 11, 2018 Hearing.*
 - a. On November 30, 2018, the Court set a December 11, 2018 hearing on Mr. Doe’s motion for a temporary restraining order and preliminary injunction. Minute Order (Nov. 30, 2018). In doing so, the Court noted that Mr. Doe “may file with the court supplemental facts supporting the need to issue an order before the hearing.” *Id.* Mr. Doe has not submitted such facts, and presently does not plan to do so, because Harvard, following Mr. Doe’s filing of his motion for a temporary restraining order and preliminary injunction, appears to have suspended its disciplinary proceedings against him, at least pending the Court’s December 11, 2018 hearing. *See* Email Correspondence, attached as Exhibit 1. Should circumstances change, Mr. Doe promptly will update the Court.

(2) *Counsel at December 11, 2018 Hearing.*

- a. Mr. Doe has retained counsel for this matter who are not admitted to the bar of this Court but who have been granted *pro hac vice* status. *See* Dkt. No. 6. These attorneys have primary responsibility for this case.
- b. Pursuant to Rule 83.5.3(e)(2) of the Local Rules of this Court, Mr. Doe also has retained local counsel, Rebecca LeGrand, a practicing member of the bar of this Court. Ms. LeGrand has reviewed and is familiar with all pleadings in this case, but she does not have primary responsibility for this case.
- c. Mr. Doe understands the Court's rules and practices, in circumstances where counsel with primary responsibility for the case has been granted *pro hac vice* status, not to require the attendance of local counsel at court hearings. *See* L.R. 83.5.3.
- d. Accordingly, for the sake of efficiency and conserving litigation resources, Mr. Doe plans to ask only his *pro hac vice* counsel to attend the hearing set for December 11. If, however, the Court would prefer the presence of local counsel, Mr. Doe will conform to that preference.

DATED: December 7, 2018

/s/
Amelia Schmidt (admitted *pro hac vice*)
Justin Dillon (admitted *pro hac vice*)
William Pittard (admitted *pro hac vice*)
KaiserDillon PLLC
1099 Fourteenth Street NW, 8th Floor—West
Washington, DC 20005
T: (202) 640-2850
F: (202) 280-1034
jdillon@kaiserdillon.com
wpittard@kaiserdillon.com
aschmidt@kaiserdillon.com

Rebecca LeGrand
LeGrand Law PLLC
1775 Eye Street NW, Suite 1150
Washington, DC 20006
T: (202) 587-5725
rebecca@legrandpllc.com

Attorneys for Plaintiff John Doe

CERTIFICATE OF SERVICE

I hereby certify that, on December 7, 2018, I caused the foregoing to be served on all counsel of record via the Court's CM/ECF system.

/s/
Amelia J. Schmidt